2.10.08 Out-of-state Tuition Waiver (Self, Spouse and Children)

Policy Summary

The Regents’ requirements for resident status provides that an institution may award out-of-state tuition waivers and assess in-state tuition for certain non-Georgian residents under specific conditions.

Full Policy Text

An institution may award out-of-state tuition differential waivers and assess in-state tuition for certain non-Georgia residents under the following conditions.

Academic Common Market
Students selected to participate in programs offered through the Academic Common Market.

International and Superior Out-of-State Students
International students and superior out-of-state students selected by the institution president or an authorized representative, provided that the number of such waivers in effect does not exceed two percent (2%) of the equivalent full-time students enrolled at the institution in the fall term immediately preceding the term for which the out-of-state tuition is to be waived.

University System Employees and Dependents
Full-time USG employees, their spouses, and their dependent children.

Medical/Dental Students and Interns
Medical and dental residents and medical and dental interns at the Medical College of Georgia (BoR Minutes, 1986-87, p. 340).

Full-Time School Employees
Full-time employees in the public schools of Georgia or the Technical College System of Georgia (BoR Minutes, October 2008), their spouses, and their dependent children. Teachers employed full-time on military bases in Georgia shall also qualify for this waiver (BoR Minutes, 1988-89, p. 43).

Career Consular Officials
Career consular officers, their spouses, and their dependent children who are citizens of the foreign nation that their consular office represents and who are stationed and living in Georgia under orders of their respective governments.

Military Personnel
Military personnel, their spouses, and their dependent children stationed in or assigned to Georgia and on active duty. The waiver can be retained by the military personnel, their spouses, and their dependent children if:
1. The military sponsor is reassigned outside of Georgia, and the student(s) remain(s) continuously enrolled and the military sponsor remains on active military status;
2. The military sponsor is reassigned out-of-state and the spouse and dependent children remain in Georgia and the sponsor remains on active military duty; or,
3. The active military personnel and their spouse and dependent children are stationed in a state contiguous to the Georgia border and live in Georgia. (BoR Minutes, February 2009)

Research University Graduate Students
Graduate students attending the University of Georgia, the Georgia Institute of Technology, Georgia State University, and the Medical College of Georgia, which shall be authorized to waive the out-of-state tuition differential for a limited number of graduate students each year, with the understanding that the number of students at each of these institutions to whom such waivers are granted, shall not exceed the number assigned below at any one point in time:

University of Georgia 80
Georgia Institute of Technology 60
Georgia State University 80
Medical College of Georgia 20

Border County Residents
Students domiciled in an out-of-state county bordering Georgia, enrolling in a program offered at a location approved by the Board of Regents, and for which the offering institution has been granted permission to award Border County waivers (BoR Minutes, October 2008).

Georgia National Guard and U.S. Military Reservists
Active members of the Georgia National Guard, stationed or assigned to Georgia or active members of a unit of the U.S. Military Reserves based in Georgia, and their spouses and their dependent children (BoR Minutes, October 2008).

Students Enrolled in USG Institutions as Part of Competitive Economic Development Projects
Students who are certified by the Commissioner of the Georgia Department of Economic Development as being part of a competitive economic development project.

Students in Georgia-Based Corporations
Students who are employees of Georgia-based corporations or organizations that have contracted with the Board of Regents through USG institutions to provide out-of-state tuition differential waivers.

Students in ICAPP® Advantage Programs
Any student participating in an ICAPP® Advantage program.

International and Domestic Exchange Programs
Any student who enrolls in a USG institution as a participant in an international or domestic direct exchange program that provides reciprocal benefits to USG students (BoR Minutes, October 2008).

Economic Advantage
As of the first day of classes for the term, an economic advantage waiver may be granted to a U.S. citizen or U.S. legal permanent resident who is a dependent or independent student and can provide
clear evidence that the student or the student’s parent, spouse, or United States court-appointed legal
guardian has relocated to the State of Georgia to accept full-time, self-sustaining employment and
has established domicile in the State of Georgia. Relocation to the state must be for reasons other
than enrolling in an institution of higher education. For U.S. citizens or U.S. legal permanent
residents, this waiver will expire twelve (12) months from the date the waiver was granted.

As of the first day of classes for the term, an economic advantage waiver may be granted to an
independent non-citizen possessing a valid employment-related visa status who can provide clear
evidence of having relocated to the State of Georgia to accept full-time, self-sustaining employment.
Relocation to the state must be for employment reasons and not for the purpose of enrolling in an
institution of higher education. These individuals would be required to show clear evidence of
having taken legally permissible steps toward establishing legal permanent residence in the United
States and the establishment of legal domicile in the State of Georgia. Independent non-citizen
students may continue to receive this waiver as long as they maintain a valid employment-related
visa status and can demonstrate continued efforts to establish U.S. legal permanent residence and
legal domicile in the State of Georgia.

A dependent non-citizen student who can provide clear evidence that the student’s parent, spouse, or
United States court-appointed legal guardian possesses a valid employment-related visa status and
can provide clear evidence of having relocated to the State of Georgia to accept full-time,
self-sustaining employment is also eligible to receive this waiver. Relocation to the state must be for
employment reasons and not for the purpose of enrolling in an institution of higher education. These
individuals must be able to show clear evidence of having taken legally permissible steps toward
establishing legal permanent residence in the United States and the establishment of legal domicile
in the State of Georgia.

Recently Separated Military Service Personnel
Members of a uniformed military service of the United States who, within twelve (12) months of
separation from such service, enroll in an academic program and demonstrate an intent to become
domiciled in Georgia. This waiver may also be granted to their spouses and dependent children. This
waiver may be granted for not more than one (1) year (BoR Minutes, June 2004, amended October
2008).

Non-Resident Students
As of the first day of classes for the term, a non-resident student can be considered for this waiver
under the following conditions:

1. **Students under 24**
   a. If the parent, or United States court-appointed legal guardian has maintained domicile
      in Georgia for at least twelve (12) consecutive months and the student can provide clear
      and legal evidence showing the relationship to the parent or United States
      court-appointed legal guardian has existed for at least twelve (12) consecutive months
immediately preceding the first day of classes for the term. Under Georgia code, legal guardianship must be established prior to the student’s 18th birthday (BoR Minutes, October 2008); or

b. If the student can provide clear and legal evidence showing relations to the spouse and the spouse has maintained domicile in Georgia for at least twelve (12) consecutive months immediately preceding the first day of classes for the term.

2. Students 24 and Older. If the student can provide clear and legal evidence showing relations to the spouse and the spouse has maintained domicile in Georgia for at least twelve (12) consecutive months immediately preceding the first day of classes for the term.

This waiver can remain in effect as long as the student remains continuously enrolled (BoR Minutes, October 2008). If the parent, spouse, or United States court-appointed legal guardian of a continuously enrolled non-resident student establishes domicile in another state after having maintained domicile in the State of Georgia for the required period, the non-resident student may continue to receive this waiver as long as the student remains continuously enrolled in a public postsecondary educational institution in the state, regardless of the domicile of the parent, spouse or United States court-appointed legal guardian (BoR Minutes, June 2006, amended October 2008).

**Vocational Rehabilitation Waiver**
Students enrolled in a USG institution based on a referral by the Vocational Rehabilitation Program of the Georgia Department of Labor (BoR Minutes, October 2008).

---

**Administration of Policy**

**Mandating Authority:**
Board of Regents Policy Manual

**Responsible Office(s):**
Office of the Registrar, 2nd floor Sparks Hall, 3-2275

**Responsible Executive(s):**

**Policy History**

**Approving Body:** Board of Regents

**Rationale or Purpose**

None provided.
Additional Information

BOR Revisions presented per Administrative Council minutes August 4, 2015

Additional Helpful Resources

Faculty Handbook http://www2.gsu.edu/~wwwfhb/fhb.html